



**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

Taylor

Plaintiff                     )  
Vs.                                )  
                                      ) # 1:22-cv-1153  
Revature                     )  
Defendant                    )

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**MEMORANDUM SUPPORTING RECUSAL**

**INTRODUCTION**

This memorandum is in support of the Honorable Judge Porter. Plaintiff very respectfully seeks recusal.

**LAWS**

**28 U.S.C §455 may apply here:**

- (a) “Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned”<sup>1</sup>.
- (b) He shall also disqualify himself in the following circumstances:(1)Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

**ARGUMENTS**

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<sup>1</sup> The provision from 28 U.S.C. § 144 may also apply here.

There is a timeliness aspect to judicial recusal in the 4th Circuit. *KOLON INDUSTRIES v. EI DuPont de Nemours & Co.* 748 F. 3d 160 - Court of Appeals, 4th Circuit, 2014. Although the case law is not exact, I have not delayed in filing this recusal.

1. The Honorable Judge Porter should recuse himself because of his authorship on the check box rule and his silence about my objections to it.
2. The Honorable Judge Porter should recuse himself because requiring that I refile a document that was already on the docket gave the Defendant extra time that is not ordinarily provided in the rules.
3. The Honorable Judge Porter should recuse himself because requiring that I refile a document already existing cost me extra time/money that I shouldn't have had to spend.

### **CONCLUSION**

For the aforementioned, but not limited to those expressly mentioned, Plaintiff very respectfully seeks recusal of the Honorable Judge Porter.